



# Wylie City Council

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## Minutes

### City Council Meeting

Tuesday, September 27, 2016 – 6:00 p.m.  
Wylie Municipal Complex – Council Chambers  
300 Country Club Road, Bldg. 100  
Wylie, TX 75098

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#### CALL TO ORDER

*Announce the presence of a Quorum.*

Mayor Eric Hogue called the meeting to order at 6:00 p.m. City Secretary Ehrlich took roll call with the following City Council members present: Mayor pro tem Keith Stephens, Councilman David Dahl, Councilwoman Candy Arrington, Councilwoman Diane Culver, Councilman William Whitney III, and Councilman Jeff Forrester.

Staff present were: Assistant City Manager, Chris Holsted; Fire Chief, Brent Parker; Development Services Director, Renae Ollie; Police Chief, Anthony Henderson; Finance Director, Linda Bantz; Special Services Director, Mike Sferra; Library Director, Rachel Orozco; City Secretary, Carole Ehrlich; Public Information Officer, Craig Kelly, and various support staff.

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#### INVOCATION & PLEDGE OF ALLEGIANCE

Mayor pro tem Stephens gave the invocation and Councilman Whitney led the Pledge of Allegiance.

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#### PRESENTATIONS

- Presentation of Keep Texas Beautiful Award - Robert Medigovich, CWD

Robert Medigovich, representing Community Waste Disposal, presented a Keep American Green plaque to the City of Wylie for their solid waste events and recycling program. Medigovich noted that only 10% of cities nationally received this honor.

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#### CITIZENS COMMENTS ON NON-AGENDA ITEMS

*Residents may address Council regarding an item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.*

No citizens were present wishing to address Council.

## **CONSENT AGENDA**

*All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

- A. Consider, and act upon, approval of the Minutes of September 13, 2016 Regular Meeting of the Wylie City Council. *(C. Ehrlich, City Secretary)*
- B. Consider, and act upon, approval of the Financial Management Policies. *(L. Bantz, Finance Director)*
- C. Consider, and act upon, Resolution No. 2016-25(R) approving the current Investment Policy as required by the Texas Government Code, Chapter 2256, Public Funds Investment Act, Subchapter A – Authorized Investments for Governmental Entities. *(L. Bantz, Finance Director)*
- D. Consider, and place on file, the City of Wylie Monthly Investment Report for August 31, 2016. *(L. Bantz, Finance Director)*
- E. Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for August 31, 2016. *(L. Bantz, Finance Director)*
- F. Consider, and act upon, approval of a Final Plat for Bozman Farm Estates Phase 5B Addition, creating 74 residential lots and 4 open space lots on 21.874 acres, generally located south of Bozman Farm Estates Phase 3, north of Beaver Creek Rd. *(R. Ollie, Development Services Director)*
- G. Consider, and act upon, approval of a Preliminary Plat for Kreymer East Phase 1, creating 86 residential lots and 2 open space lots on 26.782 acres, generally located east of W.A. Allen and north of Kings Court. *(R. Ollie, Development Services Director)*
- H. Consider, and act upon, approval of Ordinance No. 2016-23 of the city council of the City of Wylie, Texas, amending Wylie's Code of Ordinances, Ordinance No. 2005-07, as amended, Appendix C (Wylie Comprehensive Fee Schedule), Section VIII (Public Library); modifying certain library fees; providing a penalty clause, savings/repealing clause, severability clause and an effective date; and providing for the publication of the caption hereof. *(R. Orozco, Library Director)*
- I. Consider, and act upon, the award of bid # W2016-91-B for Wylie Senior Center Parking Lot Expansion Project; to Wall Enterprises in the amount of \$49,890.82, and authorizing the City Manager to execute any and all necessary documents. *(G. Hayes, Purchasing)*
- J. Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of August 31, 2016. *(S. Satterwhite, WEDC Director)*

## **Council Action**

A motion was made by Councilwoman Culver, seconded by Councilman Whitney to approve the Consent Agenda as presented. A vote was taken and the motion passed 7-0.

## **REGULAR AGENDA**

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1. **Conduct the 2nd Public Hearing for the annexation of approximately 2 acres of land situated in the Guadalupe De Los Santos Survey, Abstract No. 1100, Collin County, Texas, located southeast of the intersection of South Ballard and Pleasant Valley Road. 2016-03A.**  
*(R. Ollie, Development Services Director)*

### **Staff Comments**

Development Services Director Ollie addressed Council stating that this annexation is at the request of the property owner and applicant of a 2.009 acre tract. The subject tract is contiguous to existing city limits on the west, south, and east side, while properties to the north across Pleasant Valley are within unincorporated Collin County.

### **Public Hearing**

Mayor Hogue opened the second public hearing on Annexation 2016-03A at 6:11 p.m. asking anyone present wishing to address Council to come forward.

No one was present wishing to address Council.

Mayor Hogue closed the second public hearing on Annexation 2016-03A at 6:13 p.m.

No action required on this item.

2. **Consider, and act upon, Ordinance No. 2016-24 authorizing the annexation of approximately 2 acres of land situated in the Guadalupe De Los Santos Survey, Abstract No. 1100, Collin County, Texas, located southeast of the intersection of South Ballard and Pleasant Valley Road. 2016-03A** *(R. Ollie, Development Services Director)*

### **Staff Comments**

Development Services Director Ollie addressed Council stating that the subject tract is contiguous to existing city limits on the west, south, and east side, while properties to the north across Pleasant Valley are within unincorporated Collin County. The applicant desires to bring the subject tract into the city and zone it under the same Planned Development as the surrounding Dominion of Pleasant Valley master planned community.

### **Council Action Councilman Whitney**

A motion was made by Councilman Whitney, seconded by Councilwoman Culver to authorize the annexation of approximately 2 acres of land situated in the Guadalupe De Los Santos Survey, Abstract No. 1100, Collin County, Texas, located southeast of the intersection of South Ballard and Pleasant Valley Road. (2016-03A) A vote was taken and the motion passed 7-0.

3. **Conduct the 1st Public Hearing for the annexation of 4.165 acres of land situated in the R.D. Newman Survey, Abstract No. 660, Collin County, Texas, located at 2701 Hwy 78.** *(R. Ollie, Development Services Director)*

### **Staff Comments**

Development Services Director Ollie addressed Council, stating that this annexation is at the request of

the property owner and applicant of a 4.165 acre tract. The subject tract is contiguous to existing city limits on the north, east, and south sides, while properties to west are within the jurisdiction of Sachse.

### **Applicant Comments**

Applicant Jim Cook representing Serene Builders stated this annexed area would be constructed as commercial property including a Serene Builders Office space and showroom. Cook indicated he could not determine how much land would be utilized until they studied the flood plain and other factors. Mayor pro tem Stephens asked the applicant to leave as many trees on the property as possible.

### **Public Hearing**

Mayor Hogue opened the first public hearing on Annexation 2016-04A at 6:18 p.m. asking anyone present wishing to address Council to come forward.

No one was present wishing to address Council.

Mayor Hogue closed the first public hearing on Annexation 2016-04A at 6:19 p.m.

The following schedule has been adhered to:

Notice published for Public Hearing	September 14, 2016 and September 21, 2016
First Public Hearing	September 27, 2016
Second Public Hearing	October 11, 2016
Adoption of Ordinance	October 25, 2016

No action required on this item.

### **READING OF ORDINANCES**

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*Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.*

City Secretary Ehrlich read the captions to Ordinance No.'s 2016-23 and 2016-24 into the official record.

Mayor Hogue convened into a Joint Work Session at 6:20 p.m.

### **JOINT WORK SESSION**

- **Hold a Joint Work Session with the Historic Review Commission to discuss rules and procedures.** (*R. Ollie, Development Services Director*)

HRC member Bob Heath called the Historic Review Commission to order with the following members present: James Park, Gary Taylor, Mandi Wilson, Sandra Stone, and John Pugh. Staff present included Development Services Director Renae Ollie and various staff support.

Mayor Hogue convened the work session to order at 6:22 p.m.

Development Services Director Ollie reviewed a Texas Attorney General opinion regarding Chapter 171 of the Local Government Code and a Historic Review Commission. She reported Chapter 171 of the Local Government Code regulates local public officials' conflicts of interest. It prohibits a local public official from voting or participating on a matter involving a business entity or real property in which the official has a substantial interest if an action on the matter that will result in a special economic effect on the business that is distinguishable from the effect on the public, or in the case of a substantial interest in real property, it is reasonably foreseeable that the action will have a special economic effect on the value of the property, distinguishable from its effect on the public. Id. at § 171.004(a).

Ollie explained the adoption of Ordinance No. 2013-17 set forth the powers and duties of the Historic Review Commission and gave final approval on certain matters to the board, which defines them as "public officials." The primary changes in the proposed ordinance include modifications that would restrict the responsibilities of the HRC and bring it into conformance with Chapter 171 of the Texas Local Government Code; making it an advisory board, with final approval coming from City Council and/or Planning and Zoning.

Currently, the board is made up of seven board members, and has one member on the board that does not work, live, or have a business in the Downtown Historic District.

Staff is asking for direction to reflect advisory capacity of the HRC, revisions to the proposed text amendments that restrict final approval by the HRC, and re-consideration of the proposed text amendments in regard to the Historic District. Staff requested direction regarding who the final authority will be for approval of HRC items.

The HRC Board Members and Council discussed definition of Historic, contributing versus non-contributing. HRC Commissioners recommended the age of fifty years or older.

Acting City Manager, Chris Holsted, recommended that the Historic Review Commission revise the text guidelines to the Historic District and make recommendations to the Planning and Zoning Commission, and then to City Council.

Council directed staff to place the City Council as the final authority to approve Historic District recommendations from the HRC.

## **RECONVENE INTO REGULAR SESSION**

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Mayor Hogue reconvened into Regular Session at 7:30 p.m.

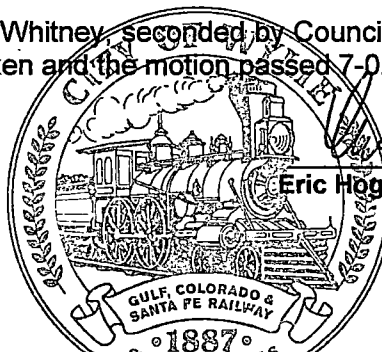
## **ADJOURNMENT**

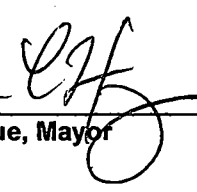
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A motion was made by Councilman Whitney, seconded by Councilman Forrester to adjourn the meeting at 7:34 p.m. A vote was taken and the motion passed 7-0.

ATTEST:

  
Carole Ehrlich, City Secretary



  
Eric Hogue, Mayor